

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
BROWNSVILLE DIVISION

United States District Court  
Southern District of Texas  
ENTERED

JAN 30 2006

Michael N. Milby, Clerk of Court  
By Deputy Clerk 

UNITED STATES OF AMERICA,  
Plaintiff,

v.

JAVIER ACUNA-CHAVEZ,  
Defendant.

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CRIMINAL NO. B-02-391  
AND  
CRIMINAL NO. B-02-519

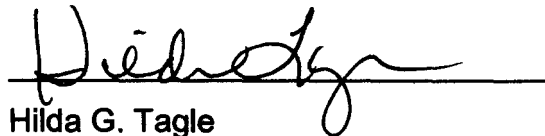
ORDER

Before the Court is the Magistrate Judge's Report and Recommendation, Dkt. No. 38, in the above-referenced cause of action. After a de novo review of the file, the Magistrate Judge's Report and Recommendation is hereby **ADOPTED**.

It is, therefore, **ORDERED, ADJUDGED, and DECREED** that Defendant's Motion for the Court to Intervene, Dkt. No. 36, is **DENIED**, and Defendant's Request for Clarification of Judgment, Dkt. No. 37, is **DENIED**.

Furthermore, for substantially the same reasons as those outlined in the Magistrate's Report and Recommendation, Defendant's Motion to Court for Error in Judgment and Order that B.O.P. Has Construed, For Oversight and Omission, Pursuant to Rule 36 [sic] is **DENIED**. Dkt. No. 39.

DONE at Brownsville, Texas, this 27th day of January, 2006.



Hilda G. Tagle

United States District Judge